

IN RE:

CARMELO CAEZ CRUZ
AMARILYS COLON FERNANDEZ
DEBTOR(S)

CASE NO. 14-08561-MCF
CHAPTER 13

TRUSTEE'S REPORT ON CONFIRMATION

1. A meeting of creditors pursuant to Section 341 was held on 11/18/2014. The meeting was (was not) duly attended by debtor(s) and their attorney.
2. The liquidation value of the estate is: 0.00
3. With respect to the attached payment plan:

PLAN DATE: September 23, 2017

PLAN BASE: \$48,480.00

TRUSTEE'S COMMENTS AND RECOMENDATIONS DATED: 10/27/2017☐

FAVORABLE

☒

UNFAVORABLE

1. [X] FEASIBILITY 11 USC § 1325(a)(6):

Debtors owe \$3,540.00 in arrears equivalent four months.

2. [X] INSUFFICIENTLY FUNDED § 1325(b):

If the application for compensation is approved the plan will be insufficient. Also, the outcome of the objection to POC 5 filed by Treasury may impact the sufficiency as well.

3. [X] FAILS DISPOSABLE INCOME TEST § 1325(b)(1)(B):

Per Notice of Mortgage Payment Change (Claim # 5) filed by Bayview Loan Services, debtors' current mortgage payment is \$775.75; however, Schedule "J" discloses \$895.00.

[X] OTHER:

Pending adjudication of objection to claim #8 dkt 51, Dept. of Treasury's reply filed at dkt 63 and debtor's Sur-reply to debtor's objection to claim #8.

NOTICE: This report anticipates Trustee's position as per 11 USC § 1302(b)(2) a copy of which has been served upon counsel for debtor(s). Copies are available to parties in interest at the Trustee's Office.

/s/ Osmarie Navarro Martínez

Osmarie Navarro Martínez

Atty: JUAN C BIGAS VALEDON*

USDC # 222611

ALEJANDRO OLIVERAS RIVERA

Chapter 13 Trustee

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